

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
v.) 1:04CR10146-WGY-001
)
ROBERT A. RAMOS,)
)
_____)

MEMORANDUM OF LAW IN SUPPORT OF THE CHILD SUPPORT
ENFORCEMENT DIVISION OF THE MASSACHUSETTS DEPARTMENT OF
REVENUE'S MOTION TO DECLARE FORFEITURE OF MONEY SEIZED FROM
DEFENDANT IN PAYMENT OF PAST-DUE CHILD SUPPORT

Pursuant to 42 U.S.C. § 651 et. seq. and M.G.L. c. 119A, § 6, the Child Support Enforcement Division of the Massachusetts Department of Revenue (DOR), an interested party/creditor, moves this Court to order that the \$2,000 seized from Robert A. Ramos (hereinafter “Ramos”) by the Federal Bureau of Investigation be remitted to DOR in payment toward past-due child support owed by Ramos to his son’s mother.

Ramos has a child support obligation for the support of his minor child and DOR is enforcing this obligation on behalf of the son’s mother. As of November 30, 2005, Ramos owes \$16,354.36 in past-due child support, including interest and penalties, to the son’s mother.

Pursuant to M.G.L. c. 119A, § 6(b)(1), a child support obligation that is unpaid in whole or in part shall, as of the date on which it was due, be a lien in favor of the obligee. Section 6 authorizes DOR to institute collection procedures for past-due child support, including attaching and seizing assets and imposing liens against an obligor’s real and personal property. *See* M.G.L. c. 119A § 6.

The sum of \$2,000, which is the subject of this motion, was seized as evidence from the defendant by the Federal Bureau of Investigation. These funds are available for payment toward Ramos’ past-due child support. Upon receipt by DOR, the funds will be disbursed to the mother of Ramos’s son.

For the foregoing reasons, DOR respectfully requests this Court to order the \$2,000 seized from Ramos to be remitted to DOR as payment toward Ramos's past-due child support.

Respectfully submitted,
Massachusetts Department of Revenue
Child Support Enforcement Division
By its attorney,

Dated: December 28, 2005

/s/ Tracey B. Harding
Tracey B. Harding, Counsel
100 Cambridge Street
P.O. Box 9561
Boston, MA 02114-9561
(617) 626-4313
Mass. Bar No. 651041